



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड १४]

शिमला, शनिवार, २४ सितम्बर, १९६६/२ आश्विन, १८८८

[संख्या ३६

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भाग २—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश सरकार

INDUSTRIES DEPARTMENT

FORM 'H'

DECLARATION UNDER SECTION 24 OF THE ACT

Simla-4, the 4th January, 1966

No. 2-55/64-Ind. II.—WHEREAS a notice was served on Shri Kishori Lal Tadu s/o Shri Prahlad Dass, House No. 153, Sector No. 2, Bilaspur Township, Bilaspur, on the 1st October, 1965 under section 21 of the Punjab State Aid to Industries (H. P. Amendment) Act, 1964 calling

upon the said Shri Kishori Lal Tadu to pay to me the sum of Rs. 8,000 on or before 25-10-1965 and whereas the said sum has not been paid. I hereby declare that the sum of Rs. 8,000 is due from the said Shri Kishori Lal Tadu and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

- House on plot No. 153 (Raura Kosrian) Sector No. 2, New Bilaspur Township, District Bilaspur.

K. B. SHUKLA,
Assistant Director.

भाग ३—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उप-राज्यपाल, जूडिशल कमिशनरज कोर्ट, फाइनेन्शियल कमिशनर तथा कमिशनर ग्राफ़ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

INDUSTRIES DEPARTMENT

NOTIFICATION

Simla-4, the 6th September, 1966

No. 21-1/65-(Lab.)/Ind-I.—The following draft of certain amendments, to the Himachal Pradesh Administration Minimum Wages Rules, 1959, which the Lieutenant Governor (Administrator), Himachal Pradesh proposes to make in exercise of the powers conferred on him by section 30 of the Minimum Wages Act, 1948 (11 of 1948) and read with Government of India, Notification No. 104-J, dated the 24th August, 1950, is published as required under sub-section (1) of that section for the information of all persons likely to be effected thereby and notice is hereby given that the said draft will be taken into consideration after the expiry of one month from the date of its publication in the Himachal Pradesh Government Gazette.

Any objections or suggestions which may be received from any person with regard to the said draft amendment before the period specified above will be considered by the Government of Himachal Pradesh.

DRAFT AMENDMENTS

In the said rules;

For the existing Form III for the submission of annual return the following form shall be substituted.

FORM III

Rule 21(4A)

ANNUAL RETURN

Return for the year ending the 31st December.....

- (1) (a) Name of the establishment and postal address
- (b) Name and residential address of the owner/contractor.....
- (c) Name and residential address of the Managing Agent/Director/Partner incharge of the day-to-day affairs of the establishment owned by a Company, Body Corporate or Association.....
- (d) Name and residential address of the Manager/Agent if any.....
2. Number of days worked during the year.....
3. *Number of man-days worked during the year....
4. **Average daily number of persons employed

during the year.....

(i) Adults.....

(ii) Children.....

5. Total wages paid in cash.....

6. ***Total cash value of the wages paid in kind....

7. Balance of Fines Fund at the beginning of the year.....

8. Deductions made during the year:—

No. of cases Total amount

Rs. P.

(a) Fines.

(b) Deductions for damage or loss.

(c) Deductions for breach of contract.

9. Balance of fines fund in hand at the end of the year.....

10. Disbursement from the fines fund during the year.....

Purpose (Amount)

Rs. P.

(a)

(b)

(c)

(d)

Dated.....

Signature.....

Designation.....

*This is the aggregate number of attendances during the year.

**The average daily number of persons employed during the year is obtained by dividing the aggregate number of attendances during the year by the number of working days.

***Cash value of wages paid in kind should be obtained by taking the difference between the cost price paid by the employer and the actual price paid by the employees for supplies of essential commodities given at concessional rates.

By order,
P. K. MATTOO,
Secretary.

भाग ४—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटीफाइड और टाउन एरिया तथा पंचायत विभाग

शून्य

भाग ५—वैयक्तिक अधिसूचनाएं और विज्ञापन

Before Shri Chander Shamsher, Compensation Officer Churah, Tissa, District Chamba, Himachal Pradesh

Application No. 76/T.C. of 1966

In the matter of Shri Shambhu, Jai Dial, Lobhi, Singhu, Chandu, Moti, Kanth ss/o Rashallo, caste Gadi Rajput, village Jajoga, Pargana Munjir (Tenants).

Versus

Shri Pritam Singh, Divan Singh ss/o Sunder Singh, caste Sikh, Mohalla Nand, Town Chamba, District Chamba (Landowners).

Application under Order 5, Rule 20, C.P.C. Khata No. 42/91 Khasra No. Nil, measuring 51 Bighas, 4 Biswas of Chak Achni of Abolition of Big Landed Estates and Land Reforms Act, 1954.

Where it has been proved to the satisfaction of this Court that Shri Pritam Singh, Divan Singh cannot be served in ordinary way, therefore this proclamation under Order 5, Rule 20, C.P.C. is hereby issued informing the said Shri Pritam Singh, Divan Singh that they should appear in this Court on 28-9-1966 either in person or through a pleader duly instructed.

In default of appearance the application will be heard and determined ex-parte.

Given under my hand and seal of Court this 1st day of September, 1966.

CHANDER SHAMSHER,
Seal. Compensation Officer.

Before Shri Chander Shamsher, Compensation Officer Churah, Tissa, District Chamba, Himachal Pradesh

Application No. 48/T.C. of 1966

In the matter of Shri Kher Din s/o Kasam, caste Muslim, village Kenthlli, Pargana Kuhal, Tehsil Churah (Tenant).

Versus

Shri Tej Ram, Karam Singh, Sant Lal, Balvant Singh ss/o Dass, caste Khatri, Mohalla Bansi Gopal, Town Chamba, District Chamba, P.O. Chamba, Himachal Pradesh (Landowners).

Application under Order 5, Rule 20, C.P.C. Khata No. 19 Khasra No. 56, 57, 79, 191, 196, 197, 206, 207, 208, 209, 210, 212, measuring 8 Bighas, 10 Biswas of chak Kenthlli of Abolition of Big Landed Estates Act, 1954.

Where it has been proved to the satisfaction of this Court that Shri Sant Lal, Balvant Singh cannot be served in ordinary way, therefore this proclamation under Order 5, Rule 20, C.P.C. is hereby issued informing the said Shri Sant Lal, Balvant Singh that they should appear in this Court on 28-9-1966 either in person or through a pleader duly instructed.

In default of appearance the application will be heard and determined ex-parte.

Given under my hand and seal of Court this 1st day of September, 1966.

CHANDER SHAMSHER,
Seal. Compensation Officer.

Before Shri Chander Shamsher, Compensation Officer Churah, Tissa, District Chamba, Himachal Pradesh

Application No. 53/T.C. of 1966

In the matter of Shri Gulam Kadar, Mohd. Sultan, Sher Mohd. Gulam Mohd. Gulam Hussien, Mussa ss/o Ramzan, caste Muslim of village Achloie, Pargana Kihar (Tenants).

Versus

Shri Shree Kanth s/o Sada Nand, caste Mahajan, mohalla Chogan Town, Chamba, District Chamba, P.O. Chamba (Landowner).

Application under Order 5, Rule 20 C.P.C. Khata No. 25/30 Khasra Nos. 54, 55, 56, 60, 63, 65, 66, 69, 71, 75, 76, 78, 90, 91, measuring 41 Bighas, 2 Biswas of chak Thisla of Abolition of Big Landed Estates and Land Reforms Act, 1954.

Whereas it has been proved to the satisfaction of this Court that Shri Shree Kanth cannot be served in ordinary way, therefore this proclamation under Order 5, Rule 20, is hereby issued informing the said Shri Shree Kanth that he should appear in this Court on 29-9-1966 either in person or through a pleader duly instructed.

In default of appearance the application will be heard and determined ex-parte.

Given under my hand and seal of Court this 1st day of September, 1966.

CHANDER SHAMSHER,
Seal. Compensation Officer.

भाग ६—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

CIVIL SUPPLIES DEPARTMENT NOTIFICATION

Simla-4, the 9th September, 1966

No. 10-110/65-CS.—The Essential Commodities (Amendment) Ordinance, 1966 is hereby republished for the information of public.

PRAKASH CHAND,
Joint Secretary.

GOVERNMENT OF INDIA MINISTRY OF LAW (LEGISLATIVE DEPARTMENT)

New Delhi, the 12th July, 1966/Asadha 21, 1888 (Saka)
THE ESSENTIAL COMMODITIES (AMENDMENT)
ORDINANCE, 1966

No. 9 of 1966

PROMULGATED BY THE PRESIDENT IN THE SEVENTEENTH
YEAR OF THE REPUBLIC OF INDIA

AN ORDINANCE FURTHER TO AMEND THE ESSENTIAL
COMMODITIES ACT, 1955

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following ordinance:—

1. *Short title and commencement.*—(1) This ordinance may be called the Essential Commodities (Amendment) Ordinance, 1966.

(2) It shall come into force at once.

2. *Act 10 of 1955 to be temporarily amended.*—During the period of operation of this Ordinance, the Essential Commodities Act, 1955 (hereinafter referred to as principal Act), shall have effect as if it has been amended as specified in sections 3 to 5.

3. *Amendment of section 3.*—In section 3 of the principal Act, after sub-section (3A), the following sub-section shall be inserted, namely:—

“(3B) Where any person is required by an order made with reference to clause (f) of sub-section (2) to sell any grade or variety of foodgrains, edible oilseeds or edible oils to the Central Government or a State Government or to an officer or agent of such Government and either no notification in respect of such foodgrains, edible oil-

seeds or edible oils has been issued under sub-section (3A) or any such notification having been issued has ceased to remain in force by efflux of time, then, notwithstanding anything contained in sub-section (3) there shall be paid to that person such price for the foodgrains, edible oilseeds or edible oils as may be specified in that order having regard to:—

- (i) the controlled price, if any, fixed under this section or by or under any other law for the time being in force for such grade or variety of foodgrains, edible oilseeds or edible oils, and
- (ii) the price for such grade or variety of foodgrains, edible oilseeds or edible oils prevailing or likely to prevail during the post-harvest period in the area to which that order applies.

Explanation.—For the purposes of this sub-section, “post-harvest period” in relation to any area means a period of three months beginning from the last day of the fortnight during which harvesting operations normally commence.

4. Insertion of new sections 6A to 6D.—After section 6 of the principal Act, the following sections shall be inserted, namely:—

“6A. **Confiscation of foodgrains, edible oilseeds and edible oils.**—Where any foodgrains, edible oilseeds or edible oils are seized in pursuance of an order made under section 3 in relation thereto, they may be produced without any unreasonable delay, before the Collector of the District or the Presidency-town in which such foodgrains, edible oilseeds or edible oils are seized and whether or not a prosecution is instituted for the contravention of such order, the Collector, if satisfied that there has been a contravention of the order, may order confiscation of the foodgrains, edible oilseeds or edible oils.

6B. **Issue of show cause notice before confiscation of foodgrains, etc.**—No order confiscating any foodgrains, edible oilseeds or edible oils shall be made under section 6A unless the owner of such articles or the person from whom they are seized:—

- (a) is given a notice in writing informing him of the grounds on which it is proposed to confiscate the articles;
- (b) is given an opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the grounds of confiscation; and
- (c) is given a reasonable opportunity of being heard in the matter;

Provided that the notice referred to in clause (a) or the representation referred to in clause (b) may, at the request of the persons concerned, be oral.

6C. **Appeal.**—(1) Any person aggrieved by an order of confiscation under section 6A may, within one month from the date of the communication to him of such order, appeal to the State Government concerned and the State Government may, after giving an opportunity to the appellant to be heard, pass such order as it may think fit, confirming, modifying or annulling the order appealed against.

(2) Where an order under section 6A is modified or annulled by the State Government or where in a prosecution instituted for the contravention of the order in respect of which an order of confiscation has been made under section 6A, the person concerned is acquitted, and in either case it is not possible for any reason, to return the foodgrains or edible oilseeds or edible oils seized, such person shall be paid the price therefor as if the foodgrains, edible oilseeds or edible oils, as the case may be, had been sold to the Government,

and such price shall be determined in accordance with the provisions of such-section (3B) of section 3.

6D. **Award of confiscation not to interfere with other punishments.**—The award of any confiscation under this Act by the Collector shall not prevent the infliction of any punishment to which the person affected thereby is liable under this Act.”

5. Amendment of section 7.—In section 7 of the principal Act, in clause (b) of sub-section (1):—

- (a) in the opening paragraph after the words “seem fit” the words “including in the case of an order relating to foodgrains, any packages, coverings or receptacles in which they are found and any animal, vehicle, vessel or other conveyance used in carrying foodgrains”, shall be inserted,
- (b) in the proviso after the words “any part of the property” the words “or any packages, coverings or receptacles or any animal, vehicle, vessel or other conveyance” shall be inserted.

S. RADHAKRISHNAN,
President.

S. P. SEN VERMA,
Secretary to the Government of India.

NOTIFICATION

Simla-4, the 9th September, 1966

No. 10-110/65-CS.—The Government of India, Ministry of Food, Agriculture, Community Development and Co-operation order published under GSR. 906 in the Gazette of India (Extra-ordinary) (Part-II-section-3 sub-section I) dated the 9th June, 1966, Jyaishta-19, 1888 (Saka) is hereby republished for the information of general public.

PRAKASH CHAND,
Joint Secretary.

MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION (DEPARTMENT OF FOOD)

ORDER

New Delhi, the 9th June, 1966

G.S.R. 906.—In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs;

- (a) that the powers conferred on it by sub-section (1) of section 3 of the said Act to make orders to provide for the matters specified in clauses (a), (b), (c) (d), (e), (f), (i), (ii) and (j) of sub-section (2) thereof shall, in relation to foodstuffs, be exercisable also by a State Government subject to the conditions:—

1. that such powers shall be exercised by a State Government subject to such directions, if any, as may be issued by the Central Government in this behalf, and
2. that before making an order relating to any matter specified in the said clauses (a), (c) or in regard to regulation of transport of any food-stuffs under the said clause (d), the State Government shall also obtain the prior concurrence of the Central Government.

- (b) that the orders of the Government of India in the Ministry of Food and Agriculture (Department of Food) specified in the Schedule below shall stand rescinded:

Provided that, notwithstanding such rescission, any order made by a State Government or any officer subordinate to that Government in pursuance of the

orders so rescinded and in force immediately before the commencement of this Order shall be deemed to have been made in pursuance of this Order and under the relevant provisions of section 3 of the said Act and shall continue in force according to its tenor, and accordingly any appointment made, licence or permit granted or direction issued under the order aforesaid and in force immediately before such commencement shall continue in force according to its tenor until and unless it is superseded by any appointment made, licence or permit granted or direction issued under any other order made in pursuance of this Order and under the relevant provisions of section 3 of the said Act.

THE SCHEDULE

| Sl. No. | G.S.R. No. | Date |
|---------|------------|------------|
| 1 | 2 | 3 |
| 1. | 1154 | 4-12-1958 |
| 2. | 888 | 21-6-1961 |
| 3. | 1100 | 31-7-1964 |
| 4. | 1134 | 5-8-1964 |
| 5. | 1135 | 5-8-1964 |
| 6. | 1438 | 28-9-1954 |
| 7. | 1504 | 13-10-1964 |
| 8. | 1505 | 13-10-1964 |
| 9. | 1506 | 13-10-1964 |
| 10. | 1512 | 16-10-1964 |
| 11. | 1513 | 19-10-1964 |
| 12. | 1514 | 19-10-1964 |
| 13. | 1546 | 23-10-1964 |
| 14. | 1840 | 22-12-1964 |
| 15. | 78 | 5-1-1965 |
| 16. | 386 | 2-3-1965 |
| 17. | 994 | 19-7-1965 |
| 18. | 1352 | 13-9-1965 |
| 19. | 1353 | 13-9-1965 |
| 20. | 1393 | 17-9-1965 |
| 21. | 1493 | 1-10-1965 |
| 22. | 1582 | 22-10-1965 |
| 23. | 1583 | 22-10-1965 |

| 1 | 2 | 3 |
|-----|------|------------|
| 24. | 1658 | 12-11-1965 |
| 25. | 1758 | 26-11-1965 |
| 26. | 650 | 29-4-1966 |

[No. 203 (Gen.)(6)/885/66-PY-II]
R. BALASUBRAMANIAN,
Joint Secretary.

LAW DEPARTMENT NOTIFICATION

Simla-4, the 16th September, 1966

No. 12-15/64-LR.—The Government of India, Ministry of Home Affairs's notification No. 2/4/66-UTL, dated the 20th August, 1966 published in the Gazette of India, Part II, section 3 (ii), dated the 27th August, 1966 is hereby republished in the Rajpatra Himachal Pradesh for general information.

NOTIFICATION

S.O.—In pursuance of clause (1) of article 239 of the Constitution, and in supersession of the Notification of the Government of India in the Ministry of Home Affairs No. S.O. 1909, dated the 30th May, 1964, the President hereby directs that the Administrator of every, Union Territory (whether known as Chief Commissioner, Lieutenant Governor or Administrator) shall, subject to the control of the President and until further orders, exercise the powers, and discharge the functions, of a State Government under the Commissions of Inquiry Act, 1952 (60 of 1952), within that Union Territory.

JOSEPH DINA NATH,
Under Secretary (Judicial).

भाग ७—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं
तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

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